

## ***2005 Press Releases***

### **January**

- 31 Attorney General Bruning to Argue Death Penalty Case before Nebraska Supreme Court Tomorrow
- 28 Attorney General Bruning Files Charges in State's First Medicaid Fraud Control Unit Case
- 24 Attorney General Bruning Hires Senior Outreach Coordinator
- 19 Media Advisory: Attorney General Bruning to Hold News Conference at 9:30 a.m. CT Today
- 19 Attorney General Bruning Announces Nebraska Sexual Task Force Recommendations
- 18 Media Advisory: Attorney General Bruning to Hold News Conference at 9:30 a.m. CT Tomorrow
- 14 Attorney General Bruning Announces Supreme Court Victory in Delgado Kidnapping, Sexual Assault Case
- 10 Media Advisory: Attorney General Bruning to Participate in National News Conference Call at 12:30 p.m. CT Today.
- 10 Convicted Murderer Sentenced to Life without Parole in Stabbing Case
- 10 Attorney General Bruning Announces Multi-State Agreement with State Farm that Results in \$40 Million for Consumers
- 10 Attorney General Bruning Will Appeal Lenient Sentence in Drunk Driving Case
- 6 Attorney General Bruning Warns Nebraskans to Beware of Tsunami Giving Scams
- 4 Media Advisory: Attorney General Bruning to Hold News Conference at 10:00 a.m. CT Today.
- 4 Attorney General Bruning Unveils 2005 Legislative Package that Protects Kids and Consumers
- 4 Media Advisory: Attorney General Bruning to Hold News Conference at 10:00 a.m. CT Today.
- 3 Media Advisory: Attorney General Bruning to Hold News Conference at 10:00 a.m. CT Tomorrow.

Sunday Monday Tuesday Wednesday Thursday Friday Saturday

# January 2005

1

New Years Day

2 3 Advisory: News Conference Tomorrow 4 Advisory: News Conference Today 5 6 News Release: Tsunami Giving Relief 7 Column: Get the Facts Before Giving to Tsunami Relief 8

Release: Legislative Package Announced

9 10 Release: Drunk Driving Sentence Appealed; Release: Life Sentence in Stabbing Case; Advisory: News Conf. Call Today; Release: 11 12 13 Internet Safety Presentations in Grand Island, Hastings and Gibbon 14 Column: 2005 Legis. Pack. Fights Crime, Protects Kids and Consumers; Release: Delgado 15

16 17 Martin Luther King, Jr. Day - State Offices Closed..... 18 Advisory: News Conference Tomorrow 19 Advisory: News Conference Today News Conference & Release: Sex Assault 20 21 Column: Sex Assault Task Force Releases Recs. 22

23 24 Release: Vicki Powell Hired as Senior Outreach Coordinator 25 26 Remarks: NE Health Care Assoc. 27 28 Release: First MFCU Charges Filed 29 Hoggy Doggy in

30 31 Release: Bruning to Argue Gales Case Before NE Supreme Court Tomorrow/ Media Availability to Follow



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 31, 2005, 11:40 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**Attorney General Bruning to Argue Death  
Penalty Case before Nebraska Supreme Court  
TOMORROW**

*Editor's Note: Attorney General Bruning will be available to the media immediately following his argument before the Supreme Court at approximately 9:45 a.m. CT in Room 2115 at the State Capitol in Lincoln.*

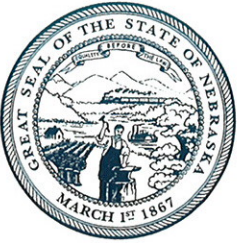
(Lincoln, Neb.) Attorney General Jon Bruning today announced that he will argue the state's case against death row inmate Arthur Lee Gales Jr. before the Nebraska Supreme Court at 9:00 a.m. CT tomorrow, Tuesday, Feb. 1. The case is on mandatory direct appeal.

Gales received two death sentences for the Nov. 12, 2000 rape and strangulation of 13-year-old Latara Chandler and the drowning of her 7-year-old brother, Tramar, in their Omaha home. He was also convicted of attempted first-degree murder for the severe beating of the children's mother, Judy Chandler.

Attorney General Bruning said, "This is a case that I feel compelled to argue personally before the Nebraska Supreme Court. As the father of two small children, I want to ensure that this individual never again has an opportunity to commit such horrific acts of violence."

###





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 28, 2005, 11:40 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Files Charges in State's First Medicaid Fraud Control Unit Case**

(Lincoln, Neb.) Attorney General Jon Bruning announced today that he has filed felony charges against a Kenesaw man in the state's first case brought by the newly formed Medicaid Fraud Control Unit (MFCU).

Ricky Milam, 48, was charged in Adams County Court with theft by unlawful taking (more than \$1,500), a Class III felony punishable by 1-20 years in prison and/or \$25,000 in fines, and abuse of a vulnerable adult, a Class IIIA felony punishable by up to five years in prison and/or \$10,000 in fines.

Milam is accused of selling his mother's home and keeping the proceeds for his personal use. He was arrested at Eppley Airfield in Omaha upon his return from a Caribbean cruise that investigators believe was funded from the proceeds of the sale of the home. Milam's mother resides in a nursing home where she receives Medicaid benefits.

Attorney General Bruning said, "We established the Medicaid Fraud Control Unit to stop people from taking advantage of the system and to protect vulnerable adults. Not only will prosecuting these cases save valuable tax dollars, we also believe it will act as a deterrent that will keep others from attempting to bilk the government."

A preliminary hearing in the case has been set for 9:15 a.m. Tuesday, March 29.

The MFCU opened in the Attorney General's Office in July to investigate and prosecute Medicaid provider fraud and patient abuse and neglect. Federal law requires each state to have an MFCU unless the state receives a waiver. With the passage of LB 1084 in 2004, Nebraska became the 49<sup>th</sup> state, along with District of Columbia, to have an MFCU. Nationwide, these units have obtained 5813 convictions and recovered more than \$1 billion since 1997.

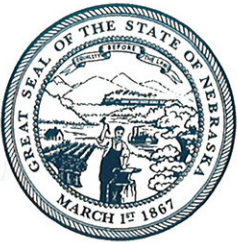
Attorney General Bruning said, "I appreciate the Nebraska Legislature's foresight in helping us establish the Medicaid Fraud Control Unit last year. This is the first of what we anticipate will be many returns on their investment."

For additional information on the MFCU or to report possible Medicaid fraud and/or patient abuse and neglect, call 800-727-6432 or 402-471-4854. Complaints can also be filed via e-mail at [medicaid.fraud@notes.state.ne.us](mailto:medicaid.fraud@notes.state.ne.us).

###

*Editor's Note: An audio clip featuring comments from the Attorney General is now available online at [www.ago.state.ne.us](http://www.ago.state.ne.us).*





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 24, 2005, 9:35 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Hires Senior Outreach Coordinator**

(Lincoln, Neb.) Attorney General Jon Bruning announced today that he has hired Vicki Powell to serve as senior outreach coordinator. Powell will travel the state educating Nebraska seniors on how to avoid becoming victims of scams and help those who have been defrauded.

Several states have implemented programs to help seniors who are regularly targeted by scam artists. Nebraska has seen its share of scams against the elderly. The financial losses range from a few hundred dollars to thousands of dollars, including a Norfolk couple that lost \$20,000 in a Canadian lottery scam.

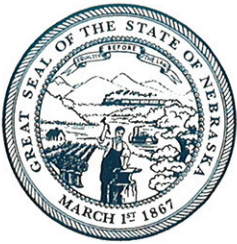
Attorney General Bruning said, "Consumer protection is the most important thing the Attorney General's Office does. Unfortunately, seniors are an inviting target for scam artists because they have a ready supply of cash after working their whole lives to put money away for retirement. We have to do more to protect those who have done so much for us and our communities."

He said, "There is no one more qualified for the position of senior outreach coordinator than Vicki Powell. She is known throughout the state for her integrity and work ethic. Nebraskans from all walks of life have grown to know and trust her. Vicki will be a spirited advocate for Nebraska's seniors and an invaluable asset in our efforts to protect them from fraud."

Powell said, "I'm excited about this new opportunity to help Nebraska seniors throughout the state. Attorney General Bruning has been a champion for those who have been victims of fraud, and I share his commitment to prevent crimes against seniors."

Powell served under Gov. Mike Johanns as administrative assistant for boards and commissions and later ran his re-election campaign for Governor. She will begin her duties in the Attorney General's office on Feb. 9.

###



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: January 21, 2005  
Contact: Regan Anson, 402-471-2067

**Sexual Assault Task Force Releases Recommendations**

It's estimated that one in eight, or 84,000, women in Nebraska have been or will be a victim of sexual assault in their lifetime. The tragic reality is that many of those women won't seek necessary medical care following an attack because of shame, self-blame and fear that their families or others will learn of the assault and blame them for it. We are working to change that.

Last April, the Nebraska Sexual Assault Task Force was formed after I learned of the courage of Heidi Wilke, an Omaha woman who was kidnapped, robbed and raped in 2002. Heidi and her husband, Jeff, served on the task force with other rape survivors, volunteers and professionals from a variety of disciplines. Their goal was to devise recommendations that would create a coordinated, consistent statewide response for victims.

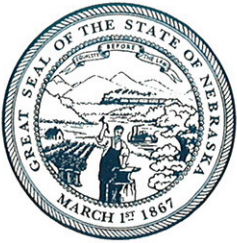
Specifically, the group focused on several aspects of the criminal justice system's response to sexual assault victims, including medical examinations, law enforcement procedures, prosecution and the courts, education and prevention, and victim services. State Sen. Nancy Thompson of Papillion has agreed to sponsor the legislation.

Some of the task force's recommendations include:

- Utilizing a standard sexual assault evidence collection kit for victims and perpetrators statewide. A standardized kit will provide for greater consistency in evidence collection and analysis.
- Revising Nebraska's Evidence Rule 404 to conform to Federal Evidence Rules 413 and 414 permitting evidence of a defendant's commission of other offenses of sexual assault in a criminal case. It's important to show if a defendant has a past history of sexual violence.
- Expanding Nebraska's Statute of Limitations to allow prosecution of sex offenders whose DNA profile is known, but whose identity may not be known until after the current three-year statute of limitations has run. Provide that prosecutors may file appropriate charges within one year from the date the perpetrator's DNA profile has been positively matched to a known individual. This is especially important in cases in which a rape victim does not know her attacker.

I'm incredibly proud of the hard work of all of those who served on the task force. Because of their dedication, we were able to identify gaps in our current response to sexual assault victims and develop solutions. Legislators now have an opportunity to make a real and lasting impact on the care that rape survivors receive and on Nebraska's judicial process. I look forward to working with them to make that happen.





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 19, 2005, 9:30 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Announces Nebraska Sexual Assault Task Force Recommendations**

(Lincoln, Neb.) Attorney General Jon Bruning today announced the legislative recommendations of the Nebraska Sexual Assault Task Force that will be sponsored by Sen. Nancy Thompson of Papillion.

Attorney General Bruning formed the Nebraska Sexual Assault Task Force in April 2004 after learning of the courage of Heidi Wilke, an Omaha woman who was kidnapped, robbed and raped in 2002. Wilke and her husband, Jeff, served on the task force with other rape survivors, volunteers and professionals from a variety of disciplines. Their goal was to devise recommendations that would create a coordinated, consistent statewide response for victims.

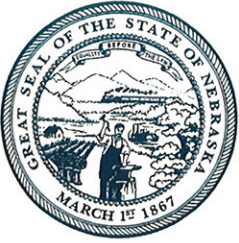
Specifically, the group focused on several aspects of the criminal justice system's response to sexual assault victims, including medical examinations, law enforcement procedures, prosecution and the courts, education and prevention, and victim services.

Attorney General Bruning said, "I'm so proud of the hard work of all of those who served on the task force. Because of their dedication, we were able to identify gaps in our current response to sexual assault victims and develop solutions. Legislators now have an opportunity to make a real and lasting impact on the care that rape survivors receive and on Nebraska's judicial process.

"I also want to thank Heidi and Jeff Wilke for championing this cause. By turning her personal tragedy into a crusade to help other victims of sexual assault, Heidi has become an inspiration to us all."

Heidi Wilke said, "I wanted to use my experience to help other rape survivors. I believe the recommendations of the task force will go a long way toward ensuring that victims of sexual assault are afforded the care, compassion and power that they deserve."

*(more)*



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
January 19, 2005, 6:00 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***  
**Attorney General Bruning to Hold News  
Conference at 9:30 a.m. CT TODAY**

Attorney General Jon Bruning will hold a news conference at 9:30 a.m. CT today, Wednesday, Jan. 19, in Room 2115 at the State Capitol in Lincoln. The Attorney General will be joined by members of the Nebraska Sexual Assault Task Force in announcing the group's legislative recommendations.

Attorney General Bruning formed the Nebraska Sexual Assault Task Force in April 2004 after learning of the courage of Heidi Wilke, an Omaha woman who was kidnapped, robbed and raped in 2002. Wilke and her husband, Jeff, served on the task force with other rape survivors, volunteers and professionals from a variety of disciplines. Their goal was to fashion recommendations that would create a coordinated, consistent statewide response for victims.

For a live audio feed, dial 866-247-0709 and code 402-471-2682 at the prompt.

###

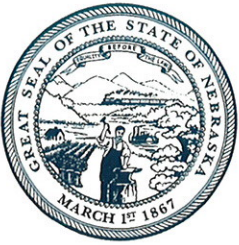


Sen. Thompson said, "Victims of sexual assault need better protection under the law. We need better tools for prosecutors to bring offenders to justice."

The task force's recommendations call for legislators to:

- Utilize a standard sexual assault evidence collection kit for victims and perpetrators statewide.
- Provide for the collection of forensic evidence by medical professionals, with the consent of the victim, without separate authorization by a law enforcement agency if the alleged assault occurred within 72 hours or when forensic evidence collections may still produce viable results.
- Change the mandatory reporting law for healthcare providers so that they are not required to immediately report a sexual assault to law enforcement officials without the victim's consent if the victim is at least 18-years-old and not an otherwise vulnerable or protected individual under state law.
- Authorize the anonymous reporting of sexual assaults in cases where victims do not want their cases reported to law enforcement. Provide for the collection of forensic evidence by medical professionals with the consent of the sexual assault victim, identifying the victim by a numbering system. Require that the responsible law enforcement agency maintain the forensic evidence for a period of at least three years.
- Revise Nebraska's Evidence Rule 404 to conform to Federal Evidence Rules 413 and 414 permitting evidence of a defendant's commission of other offenses of sexual assault in a criminal case.
- Expand Nebraska's Statute of Limitations to allow prosecution of sex offenders whose DNA profile is known, but whose identity may not be known until after the current three-year statute of limitations has run. Provide that prosecutors may file appropriate charges within one year from the date the perpetrator's DNA profile has been positively matched to a known individual.

###



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
January 18, 2005, 2:30 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

**Attorney General Bruning to Hold News  
Conference at 9:30 a.m. CT TOMORROW**

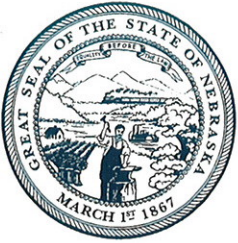
Attorney General Jon Bruning will hold a news conference at 9:30 a.m. CT tomorrow, Wednesday, Jan. 19, in Room 2115 at the State Capitol in Lincoln.

The Attorney General will be joined by members of the Nebraska Sexual Assault Task Force in announcing the group's legislative recommendations.

For a live audio feed, dial 866-247-0709 and code 402-471-2682 at the prompt.

###





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: January 14, 2005  
Contact: Regan Anson, 402-471-2067

**2005 Legislative Package Fights Crime, Protects Kids and Consumers**

Earlier this month I unveiled a legislative package that not only combats meth by toughening penalties for dealers and manufacturers, it also helps victims of identity theft, protects our kids and guards against spam. It's a package that's tough on crime and heavy on common sense.

LB 294, which will be introduced by Sen. Mike Flood of Norfolk, involves the growing epidemic of identity theft. Once a person's identity has been stolen, it leaves them vulnerable on a number of fronts. Not only are victims subject to devastating financial fallout, there have even been reports of victims being arrested for crimes committed by individuals who assumed their identity.

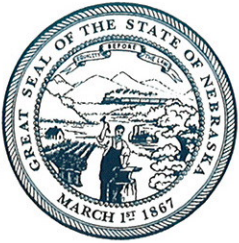
To help combat cases of mistaken identity, we are introducing legislation to establish an Identity Theft Passport Program in the Attorney General's Office. The Passport will serve as a shield to protect victims of identity theft from being arrested for crimes committed by someone using their identity.

LB 280, which will be introduced by Sen. Nancy Thompson of Papillion, will help combat child abuse and child sexual abuse. We have enacted laws that require physicians, teachers, social workers and others to report suspected child abuse. However, one important segment of professionals who have access to information on abuse has been ignored – until now.

This bill would require computer service providers, information technology professionals, commercial film processors and photographic print processors to report to law enforcement officials if they discover what they believe to be child pornography. The legislation also extends civil and criminal immunity to those that report abuse and participate in a criminal investigation or judicial proceeding.

LB 393, which will be introduced by Sen. Adrian Smith of Gering, provides for damages for victims of false or deceptive e-mails, more commonly known as spam, and prohibits senders from using false or deceptive language in identifying information. Currently, more than 35 states have spam laws, including all of our surrounding states.

The meth legislation that I recently discussed in this column rounds out our crime package for 2005. I look forward to working with the Legislature to pass these important pieces of legislation to protect Nebraskans.



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 14, 2005, 12:10 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Announces Supreme Court Victory in Delgado Kidnapping, Sexual Assault Case**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that the Nebraska Supreme Court has upheld the conviction and sentence of Henry "Rick" Delgado for the kidnapping and sexual assault of an 8-year-old Scottsbluff girl in April 2003. Delgado was sentenced to life in prison without the possibility of parole.

Delgado appealed claiming the evidence was insufficient to convict him of the crimes of kidnapping, sexual assault and felon in possession of a firearm. Delgado claimed that, in order to be sentenced to life in prison, the determination that he did not voluntarily release the victim should have been made by a jury, not the sentencing judge. The Supreme Court rejected all of Delgado's claims.

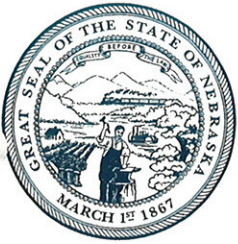
Attorney General Bruning personally argued the state's case before the Nebraska Supreme Court on Nov. 2, 2004.

Attorney General Bruning said, "It's gratifying to know that society will never again have Rick Delgado in our midst. The crimes he committed against an innocent child were barbaric. I hope the little girl and her family are now able to close this terrible chapter in their lives."

###

*Editor's Note: An audio clip featuring comments from the Attorney General is now available online at [www.ago.state.ne.us](http://www.ago.state.ne.us).*





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 10, 2005, 12:55 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Convicted Murderer Sentenced to Life without Parole in Stabbing Case**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Danny Ball of rural Lewellen, Neb., has been sentenced to life in prison without parole for the Oct. 7, 2003, stabbing death of Randy Tomjack. Ball was also sentenced to 5-10 years, to be served consecutively, for use of a weapon to commit a felony.

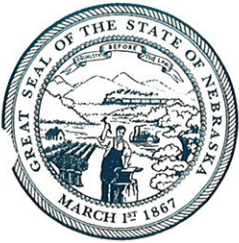
Tomjack, who had been stabbed 58 times, was found dead in a trailer in rural Keith County, north of Lake McConaughy.

The Attorney General's office won a first-degree murder conviction against Ball in November 2004.

Attorney General Bruning said, "This crime was worthy of a first-degree murder conviction and sentence of life without parole. I hope knowing that Danny Ball will never be free to harm anyone else will ease some of the heartache for the family of Randy Tomjack."

The Attorney General's Criminal Bureau Chief, Don Kleine, handled the case.

###



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 10, 2005, 1:15 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Announces Multi-State Agreement with State Farm that Results in \$40 Million for Consumers**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that Nebraska, along with 48 other states and the District of Columbia, has reached an innovative agreement with State Farm Mutual Insurance Company that will result in \$40 million in compensation to thousands of car, SUV and truck owners nationwide.

The agreement came after State Farm approached state attorneys general and indicated that after an internal review, the company was unable to confirm that it had properly titled vehicles it had taken ownership of from policyholders due to damage or theft.

Nebraska was part of an eight-state executive committee that handled the resolution of the case. Other states on the committee included Iowa, California, Florida, Illinois, New York, South Carolina and Texas.

After titling research is complete, an estimated 30,000 consumers nationwide may be eligible for payments ranging from \$400 to more than \$10,000, depending primarily on the current average value of their vehicle and the number of consumers who participate in the compensation program. Most payments are likely to range from \$800 to \$1850.

In most states, depending on factors such as vehicle age and extent of damage, insurance companies taking ownership in such situations must obtain "branded titles," indicating the vehicles are "salvage," "damaged," or similarly-named titles. State Farm's records showed that it had properly titled approximately 2.4 million vehicles in recent years that may have required a branded title, but the company could not confirm whether a much smaller number had been properly titled. Payments will go to the current owners of vehicles that may require branded titles.

Attorney General Bruning called the settlement groundbreaking. "It's rare for a company to come to us, disclose a problem, and present a viable solution that corrects the problem and helps consumers," Attorney General Bruning said. "We hope this agreement will encourage other companies to step forward, take responsibility, improve practices and make things right for consumers."



State Farm Vice President and Counsel Jeffrey W. Jackson said, "Our cooperative effort with the state attorneys general reflects a commitment to resolve salvage titling concerns in a proactive manner, and demonstrates that State Farm is serious about meeting our responsibilities under the various state branded title laws. The agreement made by State Farm and the attorneys general is the right thing to do for our policyholders and the public."

In addition to the \$40 million for consumers, State Farm also will pay the expense for the major project of identifying the vehicles, tracing the current owners, contacting owners, taking claims from owners and making compensation payments. In the "Assurance of Voluntary Compliance," or agreement with the states, State Farm also makes assurances about how it presently conducts its practices, as well as in the future.

Consumers who complete a claim form and are approved will receive a compensation payment from State Farm later this year or in early 2006. Under the agreement, State Farm will work with state departments of motor vehicles to determine the specific vehicles which require a branded title. The owners of those vehicles will receive a letter from their state's attorney general with a claim form to complete and return to an independent claims administrator company already approved by the states to administer the notification and compensation program. After all claims are in, the amount each consumer will receive will be finalized and checks mailed.

Current owners of eligible vehicles are expected to be contacted by fall 2005, after the identification process is completed.

State Farm is also making a \$1 million payment to all the state participants for consumer education, future consumer litigation, public protection, local consumer aid funds, and attorney fees and costs.

###



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 10, 2005, 2:00 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Will Appeal Lenient Sentence in Drunk Driving Case**

(Lincoln, Neb.) Attorney General Jon Bruning today announced that he will appeal the excessively lenient drunk driving sentence of Melvin Rice of Sioux City, Iowa, to the Nebraska Supreme Court.

Rice, 67, was sentenced to three years probation by Dakota County District Court Judge Maurice Redmond last year after his 12<sup>th</sup> drunk driving arrest. Rice has 11 previous convictions for drunk driving on his record. He was sentenced to probation on the most recent charge after agreeing to a plea bargain that reduced the drunk driving charge to driving while his license was revoked.

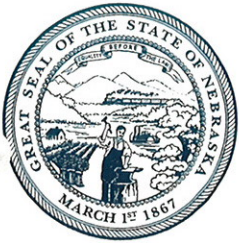
The Nebraska Court of Appeals upheld the sentence in a December 2004 ruling.

Attorney General Bruning said, "Mr. Rice has shown repeated disregard for the law that we cannot continue to tolerate. His record clearly indicates that he will not stop driving under the influence of alcohol. We cannot wait to take action until he kills an innocent bystander."

Dakota County Attorney Ed Matney said, "I appreciate the assistance I've received from the Attorney General's Office in petitioning for further review of this case. Mr. Rice poses a grave hazard to the public's safety that cannot be ignored."

###





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
January 10, 2005, 10:00 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

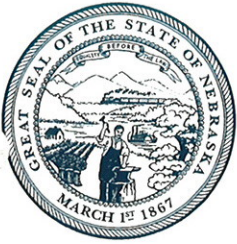
**Attorney General Bruning to Participate in  
National News Conference *Call* at 12:30 p.m. CT  
TODAY**

Attorney General Jon Bruning will join Iowa Attorney General Tom Miller and other Attorneys General and staff from across the country in a news conference call at 12:30 p.m. CT today, Monday, Jan. 10.

The Attorneys General will announce a multi-state settlement involving a major insurance company.

To participate in the call, dial 608-250-9675. The participant code is 646603.

###



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

Attorney General Jon Bruning  
Guest Column: January 7, 2005  
Contact: Regan Anson, 402-471-2067

**Get the Facts Before Giving to Tsunami Relief**

The humanitarian disaster following the tsunami in the Indian Ocean is staggering. With the current death toll at more than 147,000 and thousands of people injured and homeless, there is a critical need for aid.

If there is a silver lining to this terrible tragedy, it's that people around the world have come together to feed, clothe and shelter those displaced by the disaster. Nebraskans have joined the effort by opening their hearts and wallets to aid victims. Unfortunately, after any disaster, there are con artists waiting to take advantage of those who want to help.

It's important to get the facts before making a contribution. The following tips can help ensure that your donation reaches victims in Southeast Asia.

- Ask how your donation will be used. What percentage will go to actual relief for victims? What percentage will go for administrative costs or to professional fundraisers? What percentage will be used to fund other programs sponsored by the charity?
- Do not make an immediate decision on giving, especially if you are not familiar with the charity. Only give money to reputable organizations, such as the American Red Cross, UNICEF or your local church.
- Make sure the charity you select has experience in international relief efforts.
- Do not be pressured by emotional appeals.
- Do not give cash. Legitimate charities will accept checks or credit cards. A con artist does not want a paper trail.
- Be sure to obtain a receipt from the organization collecting the money showing the amount of the donation. It should also have the name, address and phone number of the organization and information regarding whether your donation is tax deductible.
- Research the organization asking for a donation by calling the Attorney General's Office, the Better Business Bureau or visit [www.guidestar.com](http://www.guidestar.com), a database of nonprofit organizations.

For additional information, contact the Attorney General's Office at 800-727-6432, 402-471-2682 or at [www.ago.state.ne.us](http://www.ago.state.ne.us). En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 6, 2005, 11:30 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Warns Nebraskans to Beware of Tsunami Giving Scams**

(Lincoln, Neb.) Attorney General Jon Bruning today urged Nebraskans to get the facts before contributing money to Tsunami relief efforts.

Attorney General Bruning said, "The humanitarian disaster following the Tsunami in the Indian Ocean is staggering. Nebraskans have joined people around the world in opening their hearts and wallets to victims. Unfortunately, after any disaster, there are con artists waiting to take advantage of those who want to help."

The Attorney General offered the following tips to help ensure that donations reach victims in Southeast Asia:

- Ask how your donation will be used. What percentage will go to actual relief for victims? What percentage will go for administrative costs or to professional fundraisers? What percentage will be used to fund other programs sponsored by the charity?
- Do not make an immediate decision on giving, especially if you are not familiar with the charity. Only give money to reputable organizations, such as the American Red Cross, UNICEF or your local church.
- Make sure the charity you select has experience in international relief efforts.
- Do not be pressured by emotional appeals.
- Do not give cash. Legitimate charities will accept checks or credit cards. A con artist does not want a paper trail.
- Be sure to obtain a receipt from the organization collecting the money showing the amount of the donation. It should also have the name, address and phone number of the organization and information regarding whether your donation is tax deductible.
- Research the organization asking for a donation by calling the Attorney General's Office, the Better Business Bureau or visit [www.guidestar.com](http://www.guidestar.com), a database of nonprofit organizations.

For additional information, contact the Attorney General's Office at 800-727-6432, 402-471-2682 or at [www.ago.state.ne.us](http://www.ago.state.ne.us). En Espanol, 402-471-3891 o llamada gratuita, 888-850-7555.

###

*Editor's Note: An audio clip featuring comments from the Attorney General is now available at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

FOR IMMEDIATE RELEASE  
January 4, 2005, 10:00 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

## **Attorney General Bruning Unveils 2005 Legislative Package that Protects Kids and Consumers**

(Lincoln, Neb.) Attorney General Jon Bruning today unveiled the remaining pieces of his crime package for the upcoming 2005 legislative session. In addition to the meth legislation the Attorney General introduced last week with the Governor, the package includes three bills that create an Identity Theft Passport Program, strengthen reporting laws in cases of child pornography and curb unsolicited e-mails.

Attorney General Bruning said, "This year's crime package not only combats meth by toughening penalties for dealers and manufacturers, it also helps victims of identity theft, protects our kids and guards against spam. It's a package that's tough on crime and heavy on common sense."

The first bill creates an Identity Theft Passport Program that will help protect victims of identity theft from being arrested for crimes committed by someone who assumed their identity. The legislation will be introduced by Sen.-Elect Mike Flood of Norfolk.

Sen.-Elect Flood said, "The Identity Theft Passport legislation is one more step to help protect the victims of a growing crime."

The second bill requires computer services providers, information technology professionals, commercial film processors and photographic print processors to report any evidence of child pornography to law enforcement. The legislation also extends civil and criminal immunity to those that report abuse and participate in a criminal investigation or judicial proceeding. Willful failure to report is a Class III misdemeanor.

Sen. Nancy Thompson of Papillion, who will introduce the legislation, said, "We need to do all we can to protect children from sexual predators."

The third bill provides for damages for victims of unsolicited e-mails, more commonly known as spam, and prohibits senders from using false, misleading or otherwise deceptive language in identifying information. The bill will be introduced by Sen. Adrian Smith of Gering.

*(more)*



Sen. Smith said, "Americans are tired of invasive advertising. They spoke loud and clear when 69 million people signed up for the Do-Not-Call List. E-mails are just as invasive and telephone solicitations."

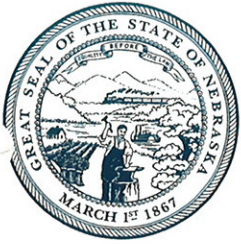
The meth legislation announced last week by Attorney General Bruning and Gov. Johanns will be introduced by Sen. Pat Bourne of Omaha. The bill stiffens the penalties for drug crimes that involve firearms by enhancing the sentence by one penalty classification, aligns meth penalties with those already imposed for cocaine trafficking, and adds methamphetamine to the definition of an 'exceptionally hazardous drug.'

The bill also requires any product containing the starch tablet form of pseudoephedrine to be sold by a pharmacy and stored behind the counter or in a locked display case. Anyone purchasing such a product would be required to show identification and sign a logbook as part of the purchase.

Sen. Bourne said, "Meth is a huge problem in this state that won't go away on its own. We must work together to curb the spread of this devastating drug. The time to act is now."

###

*Editor's Note: An audio clip featuring comments from the Attorney General is now available at [www.ago.state.ne.us](http://www.ago.state.ne.us).*



STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
January 4, 2005, 8:20 a.m. CT

CONTACT:  
Regan Anson, 402-471-2067

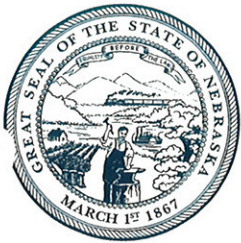
**\*\*\*MEDIA ADVISORY\*\*\***  
**Attorney General Bruning to Hold News**  
**Conference at 10:00 a.m. CT TODAY**

Attorney General Jon Bruning will hold a news conference at 10:00 a.m. CT today, Tuesday, Jan. 4, in Room 2115 at the State Capitol in Lincoln. The Attorney General will unveil his legislative package for the upcoming 2005 session.

For a live audio feed, dial 866-247-0709 and code 402-471-2682 at the prompt.

###





STATE OF NEBRASKA  
**Office of the Attorney General**

2115 STATE CAPITOL BUILDING  
LINCOLN, NE 68509-8920  
(402) 471-2682  
TDD (402) 471-2682  
CAPITOL FAX (402) 471-3297  
K STREET FAX (402) 471-4725

**JON BRUNING**  
ATTORNEY GENERAL

MEDIA ADVISORY  
January 3, 2005, 4:10 p.m. CT

CONTACT:  
Regan Anson, 402-471-2067

**\*\*\*MEDIA ADVISORY\*\*\***

**Attorney General Bruning to Hold News  
Conference at 10:00 a.m. CT TOMORROW**

Attorney General Jon Bruning will hold a news conference at 10:00 a.m. CT tomorrow, Tuesday, Jan. 4, in Room 2115 at the State Capitol in Lincoln. The Attorney General will unveil his legislative package for the upcoming 2005 session.

For a live audio feed, dial 866-247-0709 and code 402-471-2682 at the prompt.

###